

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

April 20, 2020

for the

Clerk, U.S. District Court
Western District of Texas

Western District of Texas

By:  Deputy

United States of America

v.

Paul G. Kelly

Case No. **1:20-mj-368**_____
*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 6, 2020 in the county of Travis in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. §§ 2119 and 2

Carjacking and aiding and abetting


This criminal complaint is based on these facts:

☒ Continued on the attached sheet._____
/S/ Joseph Harris, TFO, FBI*Complainant's signature*

TFO Joseph Harris

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/20/2020City and state: Ausitn, Texas

Judge's signature

Mark Lane U.S. Magistrate Judge

Printed name and title

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**IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

V.

PAUL G. KELLY

Case No.

1:20-mj-368

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Joseph Harris, FBI, Austin, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Detective with the Austin Police Department (APD) and have been employed as such since June 2004. I am currently assigned to the Federal Bureau of Investigation (FBI) and has been since August 2012. I am currently assigned to the San Antonio Field Office, Austin, Texas Resident Agency. In that capacity, my primary responsibility is to investigate violent gangs and organized crime in Central Texas as part of the FBI's Safe Streets Task Force (SSTF).

2. I make this affidavit in support of a criminal complaint against Paul G. Kelly because there is probable cause to believe that Paul G. Kelly committed the following crimes:

- **18 U.S.C. §§ 2119 and 2 (Carjacking and aiding and abetting)**

3. The information contained in this affidavit is based on my personal observation, training and experience, investigation of this matter, and information obtained from other law enforcement officers and witnesses involved in this investigation. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts I believe

are necessary to establish probable cause to believe that Katrina Kelly committed the crime of Conspiracy to commit vehicle theft.

PROBABLE CAUSE

4. On April 6, 2020, at approximately 2:30 A.M., a call for service was made to Austin 911. The complainant advised a disturbance had taken place at the Super 8 Hotel, located at 5526 N IH 35 Service Road, Southbound. Officers with APD contacted the two victims.

5. Victim #1 was driving a Silver Chevy Malibu bearing Washington License plate: BPV7174. Victim #1 stated that he arrived at the Super 8 Hotel and he was approached by an unknown male (UM). The UM approached Victim #1 at his side door and asked, "Are you Jon?" The UM pointed a black semi-automatic pistol at Victim #1 and ordered him out of Malibu. Victim #1 advised he was in fear for his life and thought the UM would shoot him. The UM then got in the driver's seat of Victim#1's vehicle and drove the Malibu through the parking lot and towards the highway.

6. APD officers collected surveillance footage provided by the Super 8 Hotel Manager and concluded their on-scene investigation.

7. On April 14, 2020, I reviewed the APD offense reports and was provided with the surveillance video from the time of the offense. I observed the following:

8. I observed a Dodge Ram bearing Texas license plate: JWJ7763 parked at the Super 8 Hotel. The male driver exited the truck and I immediately recognized him to be Paul Kelly (Paul), date of birth 11/13/1997. Paul wore a hat, glasses, dark shirt and shorts. Paul displayed a recognizable tattoo on his left forearm. I also researched Kelly's social media presence and recognized Kelly's shirt as one he previously wore in a social media post. I am personally familiar with Kelly through previous criminal investigations and APD involvement.

A heavily tattooed female exited the front driver side of the truck. I immediately recognized her as Katrina Kelly (Katrina), date of birth 09/24/1976. A short time later, a female exited the back-left passenger side of the truck who I recognized to be Leah Jackson (Leah). I am also personally familiar with Katrina Kelly through previous criminal investigations and APD involvement.

9. In the video, Katrina can be seen handing Paul an expandable baton. Paul and Katrina walked to and from room #143 at the Super 8 Motel, making attempts to gain entry. Katrina was then observed pulling out a knife and puncturing the tires on a black sedan parked next to Paul's Dodge Ram. Katrina then took possession of the baton and began to hit the vehicle causing damage.

10. A short time later Leah, Katrina and Paul observed Victim #1 as he arrived in the Malibu. Paul walked over to the driver side door and spoke to Victim #1. Paul retrieved a black pistol from the right side of his waistline. Paul pointed the pistol through the open driver side window. Paul opened the vehicle door and ordered Victim #1 out at gun point. Paul pushed Victim #1 towards the rear of the vehicle and once again pointed the black pistol at Victim #1.

11. Paul holstered his firearm and threw Katrina the keys to his Dodge Ram. Katrina and Leah got into the Dodge Ram and followed Paul out of the parking lot.

12. The 2020 Silver Chevy Malibu bearing Washington license plate: BPV7174, belongs to Enterprise Car Rental Corporation, located at 600 Corporate Park Drive St. Louis, Mo 63105. The aforementioned vehicle was stolen outside the state of Missouri thus interfering with interstate commerce.

CONCLUSION

Based on the above information, I believe probable cause exists to show that Paul Kelly, and Katrina Kelly, aided and abetted each other to commit Carjacking in violation of Title 18, United States Code, Sections 2119 and 2, in Austin, Travis County, Western Judicial District of Texas

Respectfully submitted

/S/ Joseph Harris, TFO, FBI
Joseph Harris
Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me on the 20th day of April , 2020.



Mark Lane
UNITED STATES MAGISTRATE JUDGE